

REMARKS

Claims 31-39 and 42-50 are pending. Claims 36 and 47 are amended to correct minor typographical and grammatical errors. Reconsideration is requested in view of the arguments below.

Claim Objections

Claims 36 and 47 were objected to for grammatical errors. Applicants have amended claims to obviate this objection.

35 U.S.C. § 103 Rejection

Claims 31-39 and 42-50 stand rejected under 35 U.S.C. § 103(a) as being taught by Park (U.S. Patent No. 6,937,588) further in view of Hafsteinsson (U.S. Publication No. 2004/0172484). Applicants respectfully traverse this rejection.

Park does not teach each and every element of the claims. Park does not disclose a third server in wireless communication with both the first and second server as claimed. See Fig. 2B; col. 7, line 59 – col. 8, line 32. Because of the disparate structure of Park, it is insufficient as a primary reference.

Hafsteinsson does not cure Park's deficiencies. Additionally, Hafsteinsson ('588) is not prior art to the current application. Hafsteinsson '588 was filed on Oct. 10, 2003 after the filing date of the instant application. Even though, Hafsteinsson '588 claims priority to Application No. 09/824,675, filed on Apr. 4, 2001, it is a CIP application. So any new material disclosed in Hafsteinsson may only be afforded the Oct. 10, 2003 and thus not prior art.

Moreover, the Hafsteinsson CIP application merely discloses a disparate structure and functionality from Park and the current claims. Hafsteinsson CIP discloses a WAP device and web server in direct communication with each other. One of ordinary skill would not look to this reference to combine with the multi-server environment of Park. See Application No. 09/824,675, para. [0005].

Furthermore, the Provisional Application, 60/194,695, filed April 4, 2000 discloses similar material as the Hafsteinsson CIP application. This application also clearly discloses direct communication between a WAP device and a web server.

Thus, in any case, the Hafsteinsson references do not add anything to Park. Applicants submit Park teaches away from any combination with Hafsteinsson because Park is trying to solve the problems inherent with Hafsteinsson's structure and functionality. See Park, col. 1, line 58 – col. 2, line 56.

Conclusion

All of the stated grounds of rejection have been properly addressed. Applicants therefore respectfully request that the Examiner reconsider the outstanding rejections and allow the present claims. The Examiner is invited to telephone the undersigned representative if an interview might expedite allowance of this application.

Respectfully submitted,

BERRY & ASSOCIATES P.C.

Dated: October 23, 2009

9255 Sunset Blvd., Suite 810
Los Angeles, CA 90069
(310) 247-2860

By: /Shawn Diedrich/
Shawn Diedrich
Registration No. 58,176
Direct: 480.704.4615